

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1296 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 gaming.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 3-9-2-14 IS ADDED TO THE INDIANA CODE
- 7 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
- 8 UPON PASSAGE]: **Sec. 14. (a) As used in this section, "merged**
- 9 **report" refers to the report created by the election division under**
- 10 **IC 4-31-14-7 and IC 4-33-16-7.**
- 11 **(b) As used in this section, "prohibited contributor" refers to a**
- 12 **person that is prohibited from making a contribution under either**
- 13 **of the following:**
- 14 **(1) IC 4-31-13-3.5.**
- 15 **(2) IC 4-33-10-2.1.**
- 16 **(c) A candidate or a committee may accept and retain a**
- 17 **contribution from a person if:**
- 18 **(1) the person is not identified as a prohibited contributor on**
- 19 **the most recent merged report; or**
- 20 **(2) the person's name does appear on the most recent merged**
- 21 **report, and the contribution is received after the date of the**
- 22 **end of the prohibited period for the person shown on the most**
- 23 **recent merged report.**
- 24 **(d) A candidate or committee that accepts a contribution as**

provided in this section is not subject to prosecution under:

(1) IC 4-31-13-3.5; or

(2) IC 4-33-10-2.1.

SECTION 2. IC 4-31-13-3.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: **Sec. 3.7. (a) The definitions in section 3.5 of this chapter apply throughout this section.**

(b) A permit holder who knowingly or intentionally does any of the following commits a Class A misdemeanor:

(1) Fails to file a report required by IC 4-31-14.

(2) Files an incomplete report required by IC 4-31-14.

(3) Makes a false statement in a report required by IC 4-31-14.

(4) Fails to update a report as required by IC 4-31-14.

(c) The commission may do either of the following if the commission finds by a preponderance of the evidence after a hearing conducted under IC 4-21.5 that the permit holder has knowingly or intentionally done any act described in subsection (b)(1) through (b)(4):

(1) Suspend the permit holder's permit for a period of not less than thirty (30) days.

(2) Revoke the permit holder's permit.

(d) The commission may take action under subsection (c) regardless of whether either of the following apply:

(1) The permit holder has not been prosecuted under subsection (b).

(2) The permit holder has been prosecuted under subsection (b) and has been found not guilty of a crime under subsection (b).

SECTION 3. IC 4-31-14 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 14. Reporting Ownership Interests by Permit Holders

Sec. 1. The definitions in IC 4-31-13-3.5 apply throughout this chapter.

Sec. 2. As used in this chapter, "prohibited period" means the period during which a person may not make a contribution under IC 4-31-13-3.5.

Sec. 3. Not later than January 10 of each year, a permit holder shall report to the commission the following information relating to each person that at any time during the previous calendar year was considered to have an interest in the permit holder under IC 4-31-13-3.5:

(1) The name of the person.

(2) The mailing address of the person.

(3) The date on which the person no longer had an interest in the permit holder, if the person ceased to have an interest in

the permit holder during the previous calendar year.

Sec. 4. A permit holder shall report the following not later than five (5) business days after the event occurs:

(1) Any change in the information required by section 3 of this chapter, including the date on which a person who had an interest in the permit holder ceased having the interest.

(2) The name of any person who acquires an interest in the permit holder. The permit holder shall report the information about the person that the permit holder is required to report under section 3 of this chapter.

Sec. 5. The commission shall prescribe the form of the reports required by this chapter.

Sec. 6. (a) The commission shall compile the reports of permit holders filed under this chapter. The compiled report must satisfy the following:

(1) The name and mailing address of each permit holder must be included.

(2) The name and mailing address of each person who has an interest in the permit holder must be included.

(3) The names of the permit holders and of persons having an interest in a permit holder must be sorted in alphabetical order.

(4) The information for persons having an interest in a permit holder must include a field showing the name of each permit holder in which the person has an interest.

(5) There must be a field to indicate for each permit holder and person having an interest in a permit holder the expiration date of the prohibited period for the permit holder or person who has an interest in the permit holder. The information in this field must satisfy the following:

(A) The expiration date for a permit holder shall be shown as follows:

(i) If a determination has been made that the permit holder's permit will be revoked or will not be renewed, the expiration date shall be shown as three (3) years after the effective date of the revocation or expiration of the current permit.

(ii) If a determination has not been made that a permit holder's permit will be revoked or will not be renewed, the expiration date shall be shown as "none".

(B) The expiration date for a person who has an interest in a permit holder shall be shown as follows:

(i) If the person ceases to have an interest in the permit holder, the expiration date shall be shown as three (3) years after the date the person ceased to have the interest.

(ii) If the person did not cease to have an interest in the

1 permit holder, the expiration date shall be shown as
2 "none".

3 (6) The information relating to a person on the report must be
4 maintained on subsequent reports until after the expiration
5 date for the person.

6 (b) The commission shall compile a report under this section:

7 (1) not later than February 1 after the annual reports from
8 permit holders are due; and

9 (2) each time any information on the current report is
10 changed.

11 Sec. 7. (a) The commission shall send an electronic copy of each
12 report compiled under section 6 of this chapter to the election
13 division.

14 (b) The election division shall merge a report sent by the
15 commission under this section with the most recent report sent to
16 the election division by the Indiana gaming commission under
17 IC 4-33-16.

18 (c) The commission, the election division, and the Indiana
19 gaming commission shall cooperate to develop a uniform format
20 for compiled and merged reports required by this chapter and
21 IC 4-33-16.

22 (d) The election division shall make merged reports available to
23 the general public through an on-line service.

24 Sec. 8. (a) Each report, compiled report, and merged report
25 required by this chapter is a public record subject to public
26 inspection and copying under IC 5-14-3.

27 (b) The commission and the election division shall provide paper
28 copies of compiled and merged reports respectively to the public,
29 subject to copying charges permitted by IC 5-14-3.

30 SECTION 4. IC 4-33-10-2.7 IS ADDED TO THE INDIANA CODE
31 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
32 1, 2000]: Sec. 2.7. (a) The definitions in section 2.1 of this chapter
33 apply throughout this section.

34 (b) A licensee who knowingly or intentionally does any of the
35 following commits a Class A misdemeanor:

36 (1) Fails to file a report required by IC 4-33-16.

37 (2) Files an incomplete report required by IC 4-33-16.

38 (3) Makes a false statement in a report required by
39 IC 4-33-16.

40 (4) Fails to update a report as required by IC 4-33-16.

41 (c) The commission may do either of the following if the
42 commission finds by a preponderance of the evidence after a
43 hearing conducted under IC 4-21.5 that a licensee has knowingly
44 or intentionally done any act described in subsection (b)(1) through
45 (b)(4):

46 (1) Suspend the licensee's license for a period of not less than
47 thirty (30) days.

(2) Revoke the licensee's license.

(d) The commission may take action under subsection (c) regardless of whether either of the following apply:

(1) The licensee has not been prosecuted under subsection (b).

(2) The licensee has been prosecuted under subsection (b) and has been found not guilty of a crime under subsection (b).

SECTION 5. IC 4-33-16 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 16. Reporting Ownership Interests by Licensed Owners

Sec. 1. The definitions in IC 4-33-10-2.1 apply throughout this chapter.

Sec. 2. As used in this chapter, "prohibited period" means the period during which a person may not make a contribution under IC 4-33-10-2.1.

Sec. 3. Not later than January 10 of each year, a licensee shall report to the commission the following information relating to each person that at any time during the previous calendar year was considered to have an interest in the licensee under IC 4-33-10-2.1:

(1) The name of the person.

(2) The mailing address of the person.

(3) The date on which the person no longer had an interest in the licensee, if the person ceased to have an interest in the licensee during the previous calendar year.

Sec. 4. A licensee shall report any of the following not later than five (5) business days after the event occurs:

(1) Any change in the information required by section 3 of this chapter, including the date on which a person who had an interest in the licensee ceased to have the interest.

(2) The name of any person who acquires an interest in the licensee. The licensee shall report the information about the person that the licensee is required to report under section 3 of this chapter.

Sec. 5. The commission shall prescribe the form of the reports required by this chapter.

Sec. 6. (a) The commission shall compile the reports of licensees filed under this chapter. The compiled report must satisfy the following:

(1) The name and mailing address of each licensee must be included.

(2) The name and mailing address of each person who has an interest in the licensee must be included.

(3) The names of the licensees and of persons having an interest in a licensee must be sorted in alphabetical order.

(4) The information for persons having an interest in a licensee must include a field showing the name of each licensee in which the person has an interest.

(5) There must be a field to indicate for each licensee and person having an interest in a licensee the expiration date of the prohibited period for the licensee or person who has an interest in the licensee. The information in this field must satisfy the following:

The expiration date for a licensee shall be shown as

(i)

license

expiration

effective

current license.

(ii) If a determination has not been made that a licensee's license will be revoked or will not be renewed, the expiration date shall be shown as "none".

The expiration date for a person who has an interest in

(i)

the

the date the person ceased to have the interest.

(ii) If the person did not cease to have an interest in the licensee, the expiration date shall be shown as "none".

The information relating to a person on the report must be on subsequent reports until after the expiration

(b) The commission shall compile a report under this section:

(1) not later than February 1 after the annual reports from permit holders are due; and

each time any information on the current report is

Sec.

report

division.

(b) The election division shall merge a report sent by the commission under this section with the most recent report sent to the election division by the Indiana horse racing commission under IC 4-31-14.

The commission, the election division, and the Indiana horse commission shall cooperate to develop a uniform format for

IC 4-31-14.

(d) The election division shall make merged reports available to the general public through an on-line service.

8. (a) Each report, compiled report, and merged report by this chapter is a public record subject to public

(b)

- 1 **copies of compiled and merged reports respectively to the public,**
- 2 **subject to copying charges permitted by IC 5-14-3."**
- 3 Renumber all SECTIONS consecutively.
 (Reference is to HB 1296 as printed January 27, 2000.)

Representative Kruzan